

[Order 234, 47 FR 24266, June 4, 1982, as amended by Order 436, 50 FR 42491, Oct. 18, 1985]

Subpart G—Natural Gas Producer Blanket Authorization for Sales and Abandonment [Re- served]

PART 158—ACCOUNTS, RECORDS, AND MEMORANDA

ADJUSTMENTS OF ACCOUNTS AND REPORTS

Sec.

- 158.1 Notice of deficiencies.
- 158.2 Response to notification.
- 158.3 Facts and argument.
- 158.4 Form and style.
- 158.5 Verification.
- 158.6 Determination.
- 158.7 Assignment for oral hearing.
- 158.8 Burden of proof.

CERTIFICATION OF COMPLIANCE WITH ACCOUNTING REGULATIONS

- 158.10 Examination of accounts.
- 158.11 Report of certification.
- 158.12 Qualifications of accountants.

AUTHORITY: 15 U.S.C. 717–717w, 3301–3432; 42 U.S.C. 7102–7352.

SOURCE: Order 141, 12 FR 8603, Dec. 19, 1947, unless otherwise noted.

ADJUSTMENTS OF ACCOUNTS AND REPORTS

§ 158.1 Notice of deficiencies.

If, as the result of an examination by a representative of the Commission of the accounts of a person subject to the Act and to the Commission's accounting requirements, or of an examination of any statement or report submitted by such person, it appears that the accounts, or any books or records pertaining to or in support thereof, are not being kept and maintained as required by the Commission, or that the statements or reports prepared and submitted are not in proper form, the failure or deficiency will be called to the attention of such person either formally or informally as the circumstances appear to warrant.

§ 158.2 Response to notification.

If, as the result of such formal or informal notice, the matter is not adjusted within the time fixed by said no-

tice, or within a reasonable time in case no date is specified, or if there is a disagreement between such person and the Commission or its representative respecting the application or interpretation of the Act or requirements of the Commission with respect to the matter at issue, such person will be requested to advise the Commission in writing within a time to be specified whether it consents to the disposition of the questions involved under the shortened procedure hereinafter provided.

§ 158.3 Facts and argument.

If the person consents to the matter being handled under such shortened procedure, the person and any other parties interested, including representatives of the Commission, shall submit to the Commission, within 30 days after the receipt of notice from the Commission to do so, a memorandum of the facts and, separately stated, of the argument relied upon, to sustain the position taken respecting the matter at issue together with copies in sufficient number to enable the Commission to retain three copies for its own use and make service in accordance with § 385.2010 of this chapter upon all parties designated in said notice. Twenty days will be allowed in which to file a reply by any party who filed an original memorandum.

[Order 141, 12 FR 8603, Dec. 19, 1947, as amended by Order 225, 47 FR 19057, May 3, 1982]

§ 158.4 Form and style.

Each memoranda must be complete in itself. All pertinent data should be set forth fully, and each memorandum should set out the facts and argument as prescribed for briefs in § 385.706 of this chapter.

[Order 141, 12 FR 8603, Dec. 19, 1947, as amended by Order 225, 47 FR 19057, May 3, 1982]

§ 158.5 Verification.

The facts stated in the memorandum must be sworn to by persons having knowledge thereof, which latter fact must affirmatively appear in the affidavit. Except under unusual circumstances, such persons should be